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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/846,464	04/30/2001	Kyung-Sik Kim	300055.489	4617
500	7590	11/30/2004	EXAMINER	
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC			HOM, SHICK C	
701 FIFTH AVE			ART UNIT	
SUITE 6300			PAPER NUMBER	
SEATTLE, WA 98104-7092			2666	

DATE MAILED: 11/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/846,464

Applicant(s)

KIM ET AL.

Examiner

Shick C Hom

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☒ Claim(s) 3-4 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 4/30/01.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Objections

1. Claims 1-4 are objected to because of the following informalities: In claim 1 line 1 spell out acronym, i.e. delete "MC" and insert ---mobile client MC---. In claim 1 line 4, the word "a mobile client" seem to refer back to the "mobile client" recited in claim 1 line 1. If this is true, it is suggested changing "a mobile client" to ---the mobile client---. In claim 1 line 7, the words "a target packet data service node" seem to refer back to the "target packet data service node" recited in claim 1 line 6. If this is true, it is suggested changing "a target packet data service node" to ---the target packet data service node---. In claim 1 lines 4, 6, 8 delete "(first step)," "(second step)," and "(third step)," respectively, or remove parentheses around the steps. In claim 2 line 2 spell out acronym, i.e. delete "PPP" and insert ---point-to-point protocol---. Appropriate correction is required.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-2 are rejected under 35 U.S.C. 103(a) as being unpatentable over self disclosed prior art (Fig. 1 and specification pages 1 and 2) in view of Madour (3GPP2/TSG-P-20000918-005).

Regarding claims 1-2:

The self disclosed prior art clearly reads on the hard handoff method for making an MC receive internet services by carrying out a hard handoff, comprising the steps of carrying

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out a handoff procedure with a target radio network upon encountering a hard handoff situation in a mobile client (first step) (see Fig. 1 steps (S2)-(S5) and the specification page 1 lines 10-23 which recite the RN* notifying the handoff to the RNT to the MC) and ; carrying out a mobile IP registration procedure for the mobile client and for the target packet data service node of the target radio network (second step) (see Fig. 1 steps (S9)-(11) and the specification page 2 lines 6-15 which recite the mobile IP registration procedure); and shifting a traffic channel of the mobile client to a target packet data service node from a current packet data service node (third step) (see Fig. 1 step (S1) and (S15) whereby the traffic channel of the mobile client is shifted to the target packet data service node from the current service node).

For claims 1-2, the self disclosed prior art reads on all the subject matter of the claimed invention with the exception of the MC continuously receive internet services as in claim 1; and wherein the mobile client carries out a setting of independent multiple PPP links and their control functions as in claim 2.

Madour from the same field of endeavor teach that it is known to provide the MC continuously receive internet services (see page 13 lines 17-22 which recite the MS continues to

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receive data while registering with the new PDSN); wherein the mobile client carries out a setting of independent multiple PPP links and their control functions (see page 7 lines 5-9 which recite the MS returning to the old traffic channel during handoff clearly anticipate the MC setting of multiple PPP links). Thus, it would have been obvious to the person having ordinary skill in the art at the time the invention was made to provide the MC continuously receive internet services; and wherein the mobile client carries out a setting of independent multiple PPP links and their control functions as taught by Madour in the hard handoff method of the self disclosed prior art. The step of providing the MC continuously receive internet services; and wherein the mobile client carries out a setting of independent multiple PPP links and their control functions can be implemented by providing the fast-handoff technique including the MC setting of multiple PPP links of Madour into the procedure of the self disclosed prior art. The motivation for providing the fast-handoff technique and MC setting of multiple PPP links as taught by Madour in the hard handoff method of the self disclosed prior art being that it provides more efficiency for handoff since the system can handoff more quickly without delay and lost of data.

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Allowable Subject Matter

5. Claims 3-4 would be allowable if rewritten to overcome the objection(s), set forth in this Office action and to include all of the limitations of the base claim and any intervening claims.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Madour et al. disclose optimized packet-resource management.

Manning et al. disclose a method for updating an R-P connection for a roaming mobile station.

Barna et al. disclose system and method of monitoring and reporting accounting data based on volume.

Lim discloses packet data service network in a mobile radio communication network and method of operating a packet data service using the packet data service network.

Gudat et al. disclose method and apparatus for dynamically updating representation of a work site and a propagation model.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shick C Hom whose telephone number is 571-272-3173. The examiner can

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normally be reached on Monday to Friday with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SH



DANG TON
PRIMARY EXAMINER